

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

KANAUTICA ZAYRE-BROWN,

Plaintiff,

v.

THE NORTH CAROLINA
DEPARTMENT OF ADULT
CORRECTION, *et al.*,

Defendants.

No. 3:22-cv-191-MOC-DCK

DECLARATION OF RANDI C. ETTNER, PH.D.

I, Dr. Randi Ettner, Ph.D., hereby declare as follows:

1. I have been retained as an expert witness for the Plaintiff, Kanautica Zayre-Brown, in the above-captioned action.
2. Counsel for Plaintiff has informed me that an evidentiary hearing in this action has been set for February 20, 2024, at 2:00pm Eastern Standard Time and that Plaintiff's counsel needs me to testify at that hearing.
3. Unfortunately, I am not able to travel to North Carolina from my home in Chicago to testify in person at that hearing, although I could testify remotely by video. On December 22, 2023, I suffered a detached retina in one of my eyes. The next day, I underwent vitrectomy with insertion of a gas bubble. This is a surgical procedure to treat problems with the retina. The gas bubble serves to press the retina

back into its normal position and hold it there until the bubble dissipates and the fluid in the eye takes its place, healing the detached retina.

4, On January 22, 2024, I last saw Dr. Aaron B. Weinberg, the surgeon who performed the vitrectomy with insertion of a gas bubble procedure on me. At that visit, Dr. Weinberg warned me that I cannot safely travel until the gas bubble in my eye dissipates if such travel would involve changes in elevation. Such travel includes not only flying but also land travel to or through places with a higher elevation than my home in Chicago. Dr. Weinberg told me that doing so prior to the dissipation of the bubble in my eye risks causing the bubble to explode and loss of my vision. Dr. Weinberg told me that he does not expect the bubble to dissipate prior to the February 20, 2024 evidentiary hearing. Dr. Weinberg also said that, if the Court needs information beyond my sworn testimony contained in this declaration, he would be willing to provide a letter to the Court.

Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct.

Dated: February 9, 2024

Dr. Randy Ettner Ph.D.
Dr. Randy Ettner, Ph.D.